

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ROBERT THOMAS IRVIN,	)	
	)	
Plaintiff	)	
	)	No. 3:11-0529
v.	)	Judge Campbell/Brown
	)	
CLARKSVILLE GAS & WATER	)	
DEPARTMENT, <i>et al.</i> ,	)	
	)	
Defendants	)	

**O R D E R**

The Plaintiff has filed a motion entitled "Plaintiff's Motion for Permission to Reply to Defendants' Motion for Permission to File a Reply" (Docket Entry 65). It appears that this actually is a reply in which the Plaintiff reiterates his case. As such, the Magistrate Judge will consider it. However, the Plaintiff cites Local Rules of the Davidson County Court. This case is in federal court, and the federal rules and the local rules of the federal court apply, state court procedural rules do not apply.

Additionally, in the last line of his motion the Plaintiff refers to "Exhibit 18 attached." There is no Exhibit 18.

To the extent the Plaintiff objects to the Defendant filing a reply, the motion is overruled. To the extent the Plaintiff argues additional facts in his motion, the Magistrate Judge will consider it.

The Defendants have filed a motion for permission to file a revised reply (Docket Entry 66). This is a totally unnecessary

motion. Had the Defendants carefully read the Magistrate Judge's previous order (Docket Entry 62) they would have noted that the Magistrate Judge specifically authorized them to file a **seven page** reply. Thus, no motion was needed and they only needed to file the seven page reply.

Both parties in this case are inundating the Court with unnecessary paper and making this case unnecessarily complex.

There will be no more filings on this issue until the Magistrate Judge issues a report and recommendation and then both parties will have an opportunity, within 14 days, to object to whatever ruling the Magistrate Judge makes.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge